



# U.S. DEPARTMENT of STATE

## Egypt

### International Religious Freedom Report 2005

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The Constitution provides for freedom of belief and the practice of religious rites, although the Government places restrictions on these rights in practice. Islam is the official state religion and Shari'a (Islamic law) is the primary source of legislation; religious practices that conflict with the Government's interpretation of Shari'a are prohibited. Members of the non-Muslim religious minorities officially recognized by the Government generally worship without harassment and may maintain links with coreligionists in other countries; however, members of religions that are not recognized by the Government, particularly the Baha'i Faith, experience personal and collective hardship.

In some areas, there were improvements in the Government's respect for religious freedom; however, there continued to be abuses and restrictions during the period covered by this report. The National Council for Human Rights (NCHR), established in January 2004 and entrusted with protecting and improving the status of human rights, including religious freedom, issued its first report in March 2005. Although the Council did not give significant attention to issues of religious freedom, it submitted numerous requests to the Ministry of Interior requesting action on complaints it had received regarding church repair and construction.

Mohamed El-Derini, one of a group of nine Shi'a Muslims arrested by the State Security Intelligence Service (SSIS) in 2003 and March 2004, apparently because of their religious beliefs, was released in June 2005 after having spent 15 months in administrative detention. Derini was freed following four separate rulings by the Supreme State Security Emergency Court ordering his release and an advisory opinion issued by the U.N. Working Group on Arbitrary Detention. There are credible reports that SSIS repeatedly tortured and mistreated Derini and the other detainees while in custody.

Metwalli Ibrahim Metwalli Saleh, arrested by SSIS in May 2003 apparently because of his progressive views on Islam, remained in detention despite five separate rulings from the Supreme State Security Emergency Court and an official statement from the state security prosecutor ordering his release. Saleh, age 51, is being held in Al-Wadi al-Gadid Prison, near Assiut.

Despite decrees issued by President Mubarak in 1998 and 1999 to facilitate approvals for repairing, renovating, expanding, and building churches, some local security and governmental officials continued to hinder efforts by Christians to obtain the permits required for such construction, an attitude encouraged by the 1856 Hamayouni decree and the 1934 El-Ezabi decree.

Tradition and some aspects of the law discriminated against religious minorities, including Christians and particularly Baha'is. The Government also continued to deny civil documents, including identity cards, birth certificates and marriage licenses, to members of the small Baha'i community. In the past, the Government did not provide a legal means for converts from Islam to Christianity to amend their civil records to reflect their new religious status. Approximately eight Muslims who had converted from Christianity were issued verdicts allowing recovery of their original Christian identities. However, this has not yet been tested in courts in the case of citizens originally Muslim who converted to Christianity. The Government also continued to prosecute a small number of citizens for unorthodox religious beliefs and practices alleged to "insult heavenly religions."

There continued to be religious discrimination and sectarian tension in society during the period covered by this report. In early December 2004, a three-way standoff at Cairo's Abbasiya Cathedral involving security forces, orthodox church officials, and several thousand Christian protestors ended with the return of Wafaa' Constantin, the wife of a Coptic Orthodox priest in the Nile Delta province of Beheira, to the protective custody of the church following her apparent elopement with a Muslim man and conversion to Islam in late November 2004. Although dozens of protestors and police were injured during the standoff, police did not respond with decisive force and made a notable effort to cooperate with Church authorities. However, a citizen filed a lawsuit against the Ministry of Interior (MOI)—responsible for handing Constantin back to the church—demanding Constantin's whereabouts. The exact course of events that led to the Constantin controversy, including her subsequent return to Christianity, remained unclear at the end of the reporting period.

The U.S. Government discusses religious freedom issues with the Government as part of its overall policy to promote human rights. The Ambassador, senior administration officials, and members of Congress continued to raise U.S. concerns about religious discrimination with senior government officials.

## Section I. Religious Demography

The country has an area of 370,308 square miles, and its population is approximately 72 million, of whom almost 90 percent are estimated to be Sunni Muslims. Shi'a Muslims constitute less than 1 percent of the population. Estimates of the percentage of Christians in the population range from the Government's unofficial estimate of 8 percent (approximately 5.6 million) to Christian estimates of 12 to 15 percent (approximately 8.6 to 10.8 million), the majority of whom belong to the Coptic Orthodox Church. Other Christian communities include the Armenian Apostolic, Catholic (Armenian, Chaldean, Greek, Melkite, Roman, and Syrian Catholic), Maronite, and Orthodox (Greek and Syrian) churches. An evangelical Protestant church, established in the middle of the 19th century, now includes 16 Protestant denominations. There also are followers of the Seventh-day Adventist Church, which was granted legal status in the 1960s. There are small numbers of Mormons and members of Jehovah's Witnesses, but the Government does not recognize either group. The non-Muslim, non-Coptic Orthodox communities range in size from several thousand to hundreds of thousands. The number of Baha'is is estimated at approximately 2,000. The Jewish community numbers fewer than 200 persons.

Christians are dispersed throughout the country, although the percentage of Christians tends to be higher in Upper Egypt (the southern part of the country) and some sections of Cairo and Alexandria.

There are many foreign religious groups, especially Roman Catholics and Protestants, who have had a presence in the country for almost a century. These groups engage predominately in education, social, and development work. The Government generally tolerates these groups if they do not proselytize. However, the Government has acted on a number of occasions over the past several years to refuse reentry into the country of individuals suspected of proselytizing.

## Section II. Status of Religious Freedom

### *Legal/Policy Framework*

The Constitution, under Article 46, provides for freedom of belief and the practice of religious rites; however, the Government places restrictions on these rights in practice. Islam is the official state religion, and Shari'a is the primary source of legislation; religious practices that conflict with the Government's interpretation of Shari'a are prohibited. Members of the non-Muslim religious minorities generally worship without legal harassment and may maintain links with coreligionists in other countries. Members of other religions that are not recognized by the Government, particularly the Baha'i Faith, continue to experience personal and collective hardship.

For a religious group to be officially recognized it must submit a request to the Religious Affairs Department at the Ministry of Interior, which determines whether it would pose a threat or upset national unity or social peace. The Religious Affairs Department also consults the leading religious figures in the country, particularly the Pope of the Coptic Orthodox Church and the Sheikh of Al-Azhar. The registration is then referred to the President, who issues a decree recognizing the new group, according to Law 15 of 1927. If a religious group chooses to bypass the official registration process, participants are subject to detention and could also face prosecution and punishment under Article 98(F) of the Penal Code, which forbids the "ridiculing of a heavenly religion." The Government last recognized a new religious group--First Bible Baptist Folk--in 1990.

Article 19 of the Constitution requires elementary and secondary public schools to offer religious instruction. Public and private schools provide religious instruction according to the faith of the student.

While there is no legal requirement for a Christian girl or woman to convert to Islam to marry a Muslim man, conversion to Islam has been used to circumvent the legal prohibition on marriage under the age of 16 or marriage between the ages of 16 and 21 without the approval and presence of the girl's guardian. Egyptian law recognizes the willing conversion to Islam of any person over age 16.

The Government continued to encourage interfaith dialogue. The religious establishment of Al-Azhar and the Ministry of Awqaf (Islamic Religious Endowments) engaged in interfaith discussions, both domestically and abroad. Domestically, a Muslim-Christian conference in March, organized by the International Islamic Forum and the Middle East Council of Churches, included dialogue on cooperation, mutual respect, family values, and peaceful coexistence. The Grand Imam of Al-Azhar Sheikh Tantawi and Coptic Orthodox Pope Shenouda presided over opening ceremonies. Government literacy programs promoted reading materials that encourage mutual tolerance. In January 2004, the Government formed the National Council for Human Rights (NCHR), which was entrusted with protecting, supporting, developing, upholding, and improving the status of human rights, including religious freedom. The Government appointed a Coptic Christian as president and named prominent Copts to 5 of the Council's 25 seats. The Council released its first report in March. Although the Council did not give significant attention in its report to issues of religious freedom, it submitted a total of 27 requests to the Ministry of Interior and several governorates in Upper Egypt requesting action on numerous complaints it had received concerning alleged violations of religious freedom. Twenty-three of the requests the Council submitted dealt with church repair and construction; however, according to the Council's report, the Ministry of Interior had not responded to any of the requests.

The following religious holy days are designated national holidays: Eid Al-Fitr, Eid Al-Adha, the Islamic new year, the birth of the Prophet Muhammed, and Coptic Christmas (January 7).

*Restrictions on Religious Freedom*

All mosques must be licensed, and the Government attempts to control them legally for the stated purpose of combating extremists. The Government appoints and pays the salaries of the imams who lead prayers in mosques, and it monitors their sermons; however, it does not contribute to the funding of Christian churches. During the reporting period, the Minister of Awqaf announced that of the more than 92,500 mosques in the country, the Government controls administratively 74,500 regular mosques and 18,000 mosques located in private buildings. The Government annexes new mosques every year, but the process does not keep pace with new mosque construction; however, a February 2004 decree from the Minister of Awqaf deprived governors of unilaterally issuing permits to build mosques and placed mosques in private homes under Awqaf administrative control.

The contemporary interpretation of the 1856 Ottoman Hamayouni decree, partially still in force, requires non-Muslims to obtain a presidential decree to enlarge or build places of worship. In addition, Interior Ministry regulations, issued in 1934 under the Al-Ezabi decree, specify a set of 10 conditions that the Government must consider prior to issuance of a presidential decree permitting construction of a church. The conditions include the requirement that the distance between a church and a mosque not be less than 100 meters and that the approval of the neighboring Muslim community be obtained.

In 1999, President Mubarak issued Decree 453, making the repair of all places of worship subject to a 1976 civil construction code. This decree places repair of churches and mosques on equal footing under the law. However, permits for such repairs are still subject to approval by local administrative and security officials. Even though mosque and church repairs are now subject to the same laws, authorities enforce the laws more strictly for churches than for mosques. Security officials also sometimes deny or delay permits for the supply of water and electricity. Incidents of blocked or delayed permits vary, often depending on the attitude of local security officials and the governorate leadership toward the church, and on their personal relationships with representatives of the Christian churches.

According to statistics published by the Government's Official Gazette, 12 Presidential decrees were issued from July 1, 2004, through June 30, 2005, for church-related construction, compared with seven permits reported during the previous period. 6 of these 12 permits were for evangelical Christian churches, 5 for Coptic churches, and 1 for a Catholic church. Government officials have previously asserted that the Government approves a much larger number of projects for church construction and expansion, through informal arrangements between church authorities and local security and administrative officials. Overall, the approval process for church construction continued to be hindered by time delays often measured in years, and the Government continued to be insufficiently responsive to the requests of Christians.

In his April 26 broadcast on national television, President Mubarak, answering a question about whether the same standards for issuing permits to construct places of worship are applied to both Copts and Muslims, stated that the problem of issuing permits to build churches had been addressed by the Government and that all Egyptians are treated equally in this regard. However, in practice, local administrative and/or security officials severely restrict this right. Although President Mubarak reportedly has approved all requests for permits presented to him, some Christians maintain that the Interior Ministry delays--in some instances indefinitely--submission of their requests to the President. They also maintain that security forces have blocked them from using permits that have been issued and at times denied them permits for repairs to church buildings and the supply of water and electricity to existing church facilities. Christian observers believe that government officials, particularly at the local security level, zealously enforce regulations pertaining to church projects while exercising lax oversight of the repair and construction of mosques.

In March 2004, the country's Supreme Constitutional Court dismissed a case that an individual brought against the Coptic Orthodox Church. The Court ruled that the Constitution required Christian and Muslim endowments be treated under an equal standard and that Christian endowments, like Muslim endowments, could not be sued. Christian advocates hoped the judgment would set a precedent for "equal treatment" between Islamic and Christian facilities, with implications for legal cases relative to construction and repair of churches.

Despite this ruling, numerous complaints of delayed church construction and repair projects continued to be reported during the period covered by this report. Elements within the Government, often local administrative and/or security officials, continued to impede several stages of church repair and construction projects by refusing to issue permits for new churches, preventing the implementation of pre-construction permits for new churches, failing to enforce restoration and renovation decrees, and closing unlicensed church buildings.

Targeting the first stage of church repair and construction, local government officials continued to prevent new churches from being built, often requiring an exhaustive list of documents to be submitted multiple times between administrative and security departments of governorates, in repeated attempts to preclude final authorization, despite Presidential and MOI approvals for a building permit to be issued. As a result, congregations have experienced lengthy delays -- lasting for years in many cases -- while waiting for new church building permits to be issued.

The Assiut bishopric has been waiting for local officials to issue a building permit for a new church in the governorate's Arbaeen District, despite a 1997 order from the President and approval from the Ministry of Interior to issue the decree. Similar fate has befallen residents in Assiut's El Hamra District in their attempt to build a new church since 1997, and Christian residents of the industrial town of Burg al Arab, Alexandria Governorate, to build an orthodox church since 1988. The Brothers denomination, also in Assiut Governorate, received a permit to build a church in 2001, but local police stopped construction of the building's

foundation.

After a wait of 18 years, St. George Church in Dafesh, a majority Christian community near Assiut, Upper Egypt, obtained approval from the local governor in 2000 to build a new church to replace the original building, which had grown too small to accommodate the growing community. Shortly after construction began in 2000, the new site was vandalized, allegedly by local Muslim residents. The Government halted construction, ostensibly because the church had only obtained local approval and not a presidential decree, required to either build a new church or expand an existing church. Construction remained halted at the end of the period covered by this report. The congregation continued to worship at the older site.

Authorities have also refused to issue decrees for restoration, renovation, and expansion of churches, or have failed to enforce decrees that have already been approved.

In 1999, the governor of Assiut issued a decree to St. John the Baptist at Awlad Elias in Sadfa, near Assiut, stating that the Orthodox church was given license to effect several remodeling projects and restoration projects. In 2001, however, Sadfa police halted repairs, because authorities believed that the church would enlarge its size by extending the building into the churchyard. After negotiations with State Security, the church received permission to demolish a wall to extend its size. However, after the newspaper Watani published an article exposing this issue and the outcome, State Security officials halted construction a second time. As of the end of June, construction had not resumed, and the church was still waiting for the MOI to permit resumption of repairs. The congregation was forced to build a tent in the small church courtyard to conduct prayers.

In August 2001, Assiut's governor approved the restoration of Mar Guirguis Church in Sahel Selim. In November 2001, the permit was issued. Local authorities, however, required that the church obtain approval from the Supreme Council of Antiquities to prove that the building was not registered as a historic monument. When the church duly obtained the required approval in October 2003, however, security authorities then summoned the priest to sign a pledge agreeing not to renovate the church or construct new buildings. Additionally, an official technical committee inspected the church and determined in March 2004 that the building was not structurally sound enough to undergo renovation. However, on June 20, 2005, the church was granted a presidential decree allowing it to construct a new building.

In Ezbet al-Nakhl, East Cairo, Coptic leaders of the Church of the Archangel Mikhail received permission from the Ministry of Interior in 1996, ratified by the Governor of Cairo in 2001, to expand the church to accommodate its growing congregation. However, local authorities in the district of al-Marg refused to accept the request to expand the church without a presidential decree, which was required for the renovation. The church, which had originally sought a presidential decree in 1987, had not been able to obtain one, and the project remained frozen at the end of the period covered by this report. Government officials asserted that the project was frozen because church officials did not employ the proper procedures while seeking a presidential decree, therefore making it illegal to renovate the church.

Local authorities have employed a number of tactics to close down unlicensed buildings used as places of worship. The Apostolic Church in Abowan, Minya Governorate, is an unlicensed church that has been used as a place for worship since 1984. On April 5, 2005, the local building authority sent a structural inspection team to evaluate the building, despite having not been requested by church authorities to do so. On May 9, State Security then summoned the pastor, ordered that he remove the sign bearing the name of the church, and informed him that the building would be demolished in 15 days per the inspection team's report that it was structurally unsound.

At the unlicensed Evangelical Church in Maadi, police reportedly halted a reconstruction project in November 2004 and prevented church members from entering the church. For 50 years, the church has been unable to obtain a licensing permit.

In 2002, the Government ordered the closure of a building in Tenth of Ramadan City, east of Cairo, used as a training and conference center by the Protestant Qasr al-Doubbara Church of Central Cairo. The church successfully fought the closure, obtaining a government decree in November 2003 that ordered the reopening of the facility. However, the municipality appealed the decision and continued to block use of the building on the grounds that the building, which is zoned as a residence, did not have a permit for it to operate as a public building. In April, 2005, a court ruled in favor of the church, ordering the building to be reopened. The building is again being used as a training and conference center.

As a result of restrictions, some communities use private buildings and apartments for religious services or build without permits.

On April 10, an unlicensed church hall in Baghour village, Menoufiya Governorate, was burned down by unknown arsonists. Nine Coptic Christians received minor injuries. The local governor supported rebuilding the facility. It was unclear whether there was an investigation into the arson.

The Government continued to try citizens for unorthodox religious beliefs. On March 31, the Maadi misdemeanor court issued a verdict in a blasphemy case involving Ibrahim Ahmad Abu Shusha and 11 of his followers, who had been detained absent an arrest warrant since early July 2004. The court sentenced Abu Shusha to 3 years' imprisonment, for claiming to be divine and for ridiculing a heavenly religion, namely Islam. The court sentenced the 11 other defendants (including 3 women, 2 of whom are Abu Shusha's wives) to 1 year imprisonment and ordered the confiscation of the leaflets and writings that propagated the group's ideology. In its reasoning, the court stated that there was sufficient evidence that Abu Shusha embraced beliefs that are contrary to and derogatory of Islam, and that he tried to propagate those beliefs by attempting to show that he possessed divine

powers. The court also asserted that freedom of belief does not comprise permission to deny the principles of heavenly religions.

The law states that Political parties based on religion are illegal. Pursuant to this law, the Muslim Brotherhood (MB) is an illegal organization. Muslim Brothers speak openly and publicly about their views and have recently been identifying themselves publicly as members of the organization, although they remain subject to arbitrary treatment and pressure from the Government. During the period covered by this report, hundreds of members of the Muslim Brotherhood were arrested and charged with membership in an illegal organization, planning to revive the activities of the banned group, possessing anti-government leaflets, obstructing the constitution and the law of the country, and organizing demonstrations without obtaining prior security permission. Authorities prevented several other members from traveling abroad. In April, MB leader Essam El Erian twice was prevented from traveling to Damascus and Algeria, while Muhammad Gamal Heshmat was prevented from going to Algeria. On the other hand, authorities allowed Supreme Guide Mahdi Akef to go to Saudi Arabia for pilgrimage, although his name is on the list of persons prohibited from traveling abroad. On June 19, 2005, the Public Prosecutor ordered the release of 463 recently arrested MB members and announced that only 37 MB members remained in detention. On June 20, however, MB Supreme Guide Mahdy Akef asserted that 309 MB members remained in detention. Authorities arrested Erian on May 6, 2005, and at the end of the reporting period, he remained in detention; he was reportedly planning to run for President.

Seventeen independent candidates backed by the Muslim Brotherhood were elected to the People's Assembly in the 2000 parliamentary elections, despite government-sponsored efforts to stop them, which mainly included limiting access to polling stations but also sometimes included government-sponsored violence, detentions, and arrests. Two of the 17 lost their seats in 2004 for reported electoral irregularities, while another member was able to win a seat in the 2004 Shura Council elections. In June 2004, MB member Akram Zuhairy died while in police custody. The MB claimed torture and medical negligence were the cause of death; a prosecution investigation concluded he died when he fell while being transferred to prison and hit his head. On May 6, 2005, MB member Tareq El Ghannam died while taking part in an anti-government demonstration in Daqhaliyya Governorate. The MB claimed security forces caused Ghannam's death by beating him and using tear gas; Ghannam's brother claimed he died because MB members refused to allow the ambulance to reach him.

In contrast to previous years, there were no reports of authors facing trial or charges related to writings or statements considered heretical during the reporting period.

Various ministries are legally authorized to ban or confiscate books and other works of art upon obtaining a court order. The Council of Ministers may order the banning of works that it deems offensive to public morals, detrimental to religion, or likely to cause a breach of the peace. The Islamic Research Center (IRC) at Al-Azhar University has legal authority to censor, and as of June 2004, to confiscate, all publications dealing with the Qur'an and the authoritative Islamic Traditions (Hadith). In recent years, the IRC has passed judgment on the suitability of nonreligious books and artistic productions, and there were several new cases of confiscation during the period covered by this report. Al-Azhar has the legal right to recommend confiscation, but the actual act of confiscation requires a court order.

In 2003, the Ministry of Justice issued a decree authorizing Al-Azhar sheikhs to confiscate publications, tapes, speeches, and artistic materials deemed inconsistent with Islamic law.

In 2003, the IRC recommended banning the book "Discourse and Interpretations" by Nasr Abou Zeid. IRC member Dr. Mohammed Emara was quoted as claiming the book contradicted Islamic tenets. The Government did not act on the recommendation by the end of the reporting period.

In May 2004, the IRC formally recommended banning four books: Nawal El Sadawi's "The Fall of the Imam;" Iskander Shaheen's "Freemasonry: Religion or Fraud;" Ali Youssef's "The Call of Consciousness;" and Hisham El Bahrani's "City of Miracles." Sadawi's book was first published 20 years ago and has been translated into 14 languages. Although the IRC's recommended bans led to widespread criticism from writers and human rights activists, the Ministry of Justice decided in June 2004 to authorize al-Azhar's "inspectors" to seize publications, tapes, speeches, and artistic material that deviated from the IRC's interpretation of Shari'a. Prior to June 1, the IRC could not confiscate books it disapproved of without first seeking a court order.

In August 2004, the IRC banned "The Responsibility for the Failure of the Islamic State," by Gamal El Banna, a liberal Islamist thinker. The IRC ruled that Gamal El Banna's book deviated from Islamic orthodoxy, and the IRC began efforts to confiscate the book from the marketplace. In October 2004, the Egyptian Organization for Human Rights issued a report which criticized IRC's book confiscations, terming them "a hammer blow to freedom of thought."

In September 2004, the Alexandria Administrative Court heard a lawsuit filed by lawyer Nabih al-Wahsh demanding the confiscation of a book, "The Hijab: A Modernist Approach," by Ikbal Baraka. The suit also sought the dismissal of Baraka as chief editor of Hawwa Magazine and her dismissal from the Press Syndicate. The suit alleged that Baraka's book denied the religious sanction for the veiling of women. The suit also charged the ministers of culture, aviation, education, and information, as well as the Grand Imam of al-Azhar University, with failure to block Baraka's book. A wide cross-section of writers and intellectuals, including Islamist writers, have criticized the effort to ban Baraka's book.

The local media, including state television and newspapers with some governmental oversight, gives prominence to Islamic programming, which implies the primacy of Islam among "the heavenly religions." The weekly religion page of the prominent daily al-Ahram, a privately funded newspaper with some governmental oversight, often reports on conversions to Islam and

states that converts improved their lives and found peace and moral stability, things the converts said they lacked in their previous faith. While Christian television programs are aired on state-owned Nile TV, they are not presented on a regular basis.

Pope Shenouda has banned Coptic travel to Jerusalem since the Egypt-Israel Peace Treaty of 1979. However, press reports indicated that an estimated 735 Egyptian Copts visited Israel in 2004 for pilgrimage, citing Israeli Interior Ministry statistics.

Law 263 of 1960, still in force, bans Baha'i institutions and community activities, and a 1961 Presidential decree stripped Baha'is of legal recognition. During the Nasser era, the Government confiscated all Baha'i community properties, including Baha'i centers, libraries, and cemeteries. The problems of Baha'is, who number fewer than 2,000 persons in the country, were compounded when the MOI began to upgrade its automation of civil records, including national identity cards. The Government has asserted that its new software requires all citizens to be categorized as Muslims, Christians, or Jews. Baha'is and other religious groups who do not fit into any of these categories have been compelled either to misrepresent themselves as members of one of these three religions or to go without valid identity documents. Most Baha'is have chosen the latter course. The Government's unwillingness to issue Baha'is identity cards and other necessary documents made it increasingly difficult for Baha'is to register their children in school, to open bank accounts, and to register businesses. Baha'is at age 16 face additional problems under Law 143/1994, which makes it mandatory for all citizens to obtain a new identification card featuring a new National Identification number. Police, often on public buses, conduct random inspections of identity papers, and those found without their identity card are regularly detained until the document is provided to the police. Some Baha'is, unable to receive identity cards, frequently stay home to avoid police scrutiny and possible arrest.

In May 2004, the Government confiscated the identity cards of two Baha'is who were applying for passports. Officials told them that they were acting on instructions from the MOI to confiscate any identity cards belonging to Baha'is.

During the reporting period, some Baha'is reported that government representatives offered to issue them passports, but no other documents. The Baha'i leadership noted that while this would enable them to leave the country, it would not facilitate their continued residence in the country.

Despite the Government's claim that it is unable to issue identity documents without Jewish, Christian, or Muslim designation, there is evidence that, on rare occasion, the Ministry of Interior has issued documents that list a citizen's religion as "other" or "—" or simply do not include mention of religion.

In 1997, a human rights activist filed a lawsuit seeking the removal of the religious affiliation category from government identification cards. The plaintiff challenged the constitutionality of a 1994 decree by the MOI governing the issuance of new identification cards. A hearing scheduled for February 25, 2005, never took place. The court informed the attorney for the plaintiff that the case documents had been withdrawn and forwarded to the president of the State's Council, a highly unusual procedure. A new hearing date was set for October 14.

During a nationally televised interview on April 26, President Mubarak stated that as far as he was concerned "Muslim, Copt and Jew are one and the same—they are all citizens of this country with no difference between them." However, he made no reference to citizens having other beliefs, such as Baha'is or agnostics.

Legal ambiguity also concerns the membership of the Church of Jesus Christ of Latter-day Saints (LDS), or Mormons, in Cairo. The LDS Church has maintained an organized congregation in Egypt for over 30 years, though without formal legal recognition. The Government is aware of the activities of the congregation and has raised no objection so long as no proselytizing of citizens occurs; however, excessive attention from State Security has been a problem for individual citizen members who attempted to participate in meetings, particularly those who have converted to the LDS Church overseas and then returned to Egypt. According to credible sources in the LDS community, citizen members sometimes avoid meetings out of fear of harassment from State Security.

The Constitution provides for equal public rights and duties without discrimination based on religion or creed, and in general the Government upholds these constitutional protections; however, government discrimination against non-Muslims exists. There are no Christians serving as governors or as presidents or deans of public universities, and they are rarely nominated by the Government to run in elections as National Democratic Party (NDP) candidates. As of June 30, there were 7 Christians (4 appointed; 3 elected) in the 454-seat People's Assembly, 6 Christians (all appointed) in the 264-seat Shura Council, and 2 Christians in the 32-member Cabinet. Christians, who represent approximately 10 percent of the population, held less than 2 percent of the seats in the People's Assembly and Shura Council.

There are few Christians in the upper ranks of the security services and armed forces. Government discriminatory practices continued to include discrimination against Christians in the public sector, discrimination against Christians in staff appointments to public universities, payment of Muslim imams through public funds (Christian clergy are paid by private church funds), and refusal to admit Christians to Al-Azhar University (a publicly-funded institution). In general, public university training programs for Arabic language teachers refuse to admit non-Muslims because the curriculum involves the study of the Qur'an. There have been no reports of Christian graduates since 2001.

Anti-Semitic sentiments appeared in both the pro-government and opposition press. Anti-Semitic articles and opinion pieces appeared in the print media, and editorial cartoons appeared in the press and electronic media. For example, on June 24 and

July 1, 2004, the National Democratic Party (NDP) newspaper al-Lewa al-Islami published articles by Professor Refaat Sayed Ahmed in which he denied the Holocaust. On August 25, 2004, the NDP announced that it had banned Professor Ahmed from future publishing, that the editor who approved his article had been fired, and that the NDP and the Government rejected anti-Semitism and acknowledged the reality of the Holocaust.

The Government reportedly has advised journalists and cartoonists to avoid anti-Semitism. Government officials insist that anti-Semitic statements in the media are a reaction to Israeli government actions against Palestinians and do not reflect historical anti-Semitism; however, there are relatively few public attempts to distinguish between anti-Semitism and anti-Israeli sentiment.

In January 2004, the Supreme Administrative Court upheld a lower court's 2001 decision to ban an annual festival (for Jewish pilgrims) at the tomb of Rabbi Abu Hasira in a village in the Nile Delta and rejected the Ministry of Culture's designation of the site as a protected antiquity. The 2001 decision linked the status of the site and the festival to the Israeli-Palestinian conflict, and the celebration has not been held in the past 3 years. There were reports in January 2005 that Jewish pilgrims again celebrated the Abu Hasira festival.

The application of family law, including marriage, divorce, alimony, child custody, and burial, is based on an individual's religion. In the practice of family law, the Government recognizes only the three "heavenly religions": Islam, Christianity, and Judaism. Muslim families are subject to Shari'a, Christian families are subject to Canon law, and Jewish families are subject to Jewish law. In cases of family law disputes involving a marriage between a Christian woman and a Muslim man, the courts apply the Shari'a. The Government does not recognize the marriages of citizens adhering to faiths other than Christianity, Judaism, or Islam.

Under Shari'a, as practiced in the country, non-Muslim males must convert to Islam to marry Muslim women, but non-Muslim women need not convert to marry Muslim men. Muslim women are prohibited from marrying Christian men.

Inheritance laws for all citizens are based on the Government's interpretation of Shari'a. Muslim female heirs receive half the amount of a male heir's inheritance, while Christian widows of Muslims have no inheritance rights. A sole female heir receives half her parents' estate; the balance goes to designated male relatives. A sole male heir inherits all his parents' property. Male Muslim heirs face strong social pressure to provide for all family members who require assistance; however, this assistance is not always provided.

Under Shari'a, converts from Islam lose all rights of inheritance; however, because the Government offers no legal means for converts from Islam to Christianity to amend their civil records to reflect their new religious status, inheritance rights may appear not to have been lost.

The law provides for khul' divorce, which allows a Muslim woman to obtain a divorce without her husband's consent, provided that she is willing to forego all of her financial rights, including alimony, dowry, and other benefits. In practice, some judges have not applied the law accurately or fairly, causing lengthy bureaucratic delays for the thousands of women who have filed for khul' divorce. Many women who have complained that after being granted khul', the required child alimony is not paid.

The Coptic Orthodox Church excommunicates women members who marry Muslim men and requires that other Christians convert to Coptic Orthodoxy to marry a member of the Church. Coptic males are prevented from marrying Muslim women by both civil and religious laws. A civil marriage abroad is an option should a Christian male and an Egyptian Muslim female decide to marry; however, if the couple returned to Egypt, their marriage would not be legally recognized. Additionally, the woman could be arrested and charged with apostasy, and any children from such a marriage could be taken and assigned to the physical custody of a male Muslim guardian, as determined by the Government's interpretation of Shari'a. The Coptic Orthodox Church permits divorce only in specific circumstances, such as adultery or conversion of one spouse to another religion.

#### *Abuses of Religious Freedom*

In June 2004, the Court of Cassation, the country's highest appellate court, upheld the acquittal of 94 of 96 suspects who were charged with various offenses committed during the early 2000 sectarian violence in the town of al-Kush, which left 21 Christians dead. The Court's decision left public prosecutors and human rights activists with no further legal options.

In an earlier incident, Shayboub William Aarsal, a Coptic Christian, was convicted and sentenced for the 1998 murders of two Copts in al-Kush. His appeal, which has been pending for 5 years, had not been heard. The local Christian community believed that Shayboub was accused and convicted of the crime because of his religion.

Al-Azhar's Islamic Research Center issued a fatwa, or legal opinion, in December 2003 condemning Baha'is as apostates.

The Government at times prosecutes members of religious groups whose practices are deemed to deviate from mainstream Islamic beliefs, and whose activities are alleged to jeopardize communal harmony. Shiite Muslim Mohamed Ramadan Hussein El-Derini, arrested in March 2004 apparently because of his religious beliefs, was released in June, 2005, after having spent 15 months in administrative detention without charge or trial. Derini was freed following four separate rulings by the Supreme State Security Emergency Court ordering his release and an advisory opinion issued by the U.N. Working Group on Arbitrary Detention. Following each ruling by the court, the Minister of Interior issued a new administrative detention decree, nullifying the

court's release order. There were credible reports that members of the State Security Intelligence Service (SSIS) repeatedly tortured and mistreated Derini in custody. Derini's arrest came in the wake of the arrests of at least eight other Shi'a Muslims in 2003 in the town of Ras Gharib, again apparently due to their affiliation with Shi'a Islam, which is not officially recognized by the Government but acknowledged as a branch of Islam by Al-Azhar. Five were released within several weeks, but three, Adel el-Shazli, Ahmed Gom'a, and Mohammed Hama Omar, were sent to prison in Cairo and Wadi Natroun for interrogation. As in Derini's case, there were credible reports that security forces tortured and mistreated these three individuals while in detention. Goma'a was released on April 29, 2004; El-Shazli in June 2004; and Mohammed Omar in August 2004.

In May 2003, SSIS arrested Metwalli Ibrahim Metwalli Saleh, apparently because of his progressive views on Islam. Metwalli's unpublished research, which he distributed to religious scholars and several embassies prior to his arrest, refuted the idea that it is a Muslim's religious duty to kill an "apostate" and also argued that Islam permits a Muslim woman to marry a non-Muslim man. SSIS detained Saleh, a graduate of Al-Azhar University, without charge for nearly 2 months until July 2003 when he was charged by the State Security Prosecutor with "contempt of Islam." Following an investigation, the State Security Prosecutor then ordered Saleh released in late October 2003; however, the MOI continued to detain him under an administrative detention decree (the Emergency Law). After each of five separate rulings from the Supreme State Security Emergency Court ordering his release—the most recent of which occurred on June 30, 2005—the MOI renewed the detention order under the Emergency Law. Saleh remained in detention in Al-Wadi al-Gadid Prison, near Assiut. There were credible reports that state security officers harassed and threatened Saleh's wife and son.

In March 2004, a State Security Emergency Court found 26 persons, including 3 Britons, guilty of membership in an illegal subversive organization (the Islamic Liberation Party) and of obstructing the law and the Constitution. The defendants received sentences of 1 to 5 years. There were credible reports that defendants were tortured during the Government's investigation of the case.

Neither the Constitution nor the Civil and Penal Codes prohibit proselytizing, but police have harassed those accused of proselytizing on charges of ridiculing or insulting heavenly religions or inciting sectarian strife.

In April 2004, a woman who had converted from Coptic Christianity to Islam upon her marriage to a Muslim approached Andraus Mokhtar Maiz, a Coptic policeman in al-Minya, and told him that she wanted to convert back to Christianity. Maiz reportedly referred her to a bishop, only to learn soon thereafter that the woman had filed a case against him, accusing him of misusing his authority as a policeman and of bribing a Muslim to convert. SSIS then arrested Maiz in al-Minya, where he was reportedly held incommunicado for a week and beaten. Released after SSIS determined that there was no wrongdoing, Maiz was re-arrested in late June 2004, after the woman appealed to security officials. In July 2004, Maiz was charged with dereliction of duty and with bribing a Muslim to convert to Christianity. A military court sentenced him to a prison term of 1 year in the military prison in Minya Governorate, but Maiz was released in January and reinstated to his job.

While there are no legal restrictions on the conversion of non-Muslims to Islam, there were occasional reports that police harassed Christians who converted from Islam.

The law prescribes administrative steps consequential to the conversion of a non-Muslim to Islam. The minor children of converts to Islam, and in some cases adult children, may automatically become classified as Muslims in the eyes of the Government irrespective of the religion of the other spouse. This practice is in accordance with the Government's interpretation of Shari'a, which dictates "no jurisdiction of a non-Muslim over a Muslim."

In April 2004, an administrative court issued a verdict allowing Mona Makram Gibran, who had converted to Islam and later converted back to Christianity, to recover her original (Christian) name and identity. Some legal observers believed the case would constitute a significant precedent as the Government has generally refused to acknowledge citizens' conversions from Islam to Christianity. The court's written verdict noted "... the Constitution guarantees equality among citizens ... without any discrimination based on race, sex, language, or faith. The Government also guarantees freedom of thought and religious faith in accordance with Article 46 of the Constitution. ... [The State] is legally committed to register the woman's real religion and is not allowed under any circumstance to use its assigned powers to force the woman to remain Muslim." As of late June 2005, there were 49 other cases involving individuals who converted to Islam and then back to Christianity, who were attempting to recover their original Christian identities. All of these cases were before the same judge of the Cairo Administrative Court who ruled in the Gibran case. Of these 49 individuals, approximately 8 had received verdicts allowing them to recover their Christian identities. The MOI appealed two of these cases, perhaps because it did not foresee the flood of cases filed after the Gibran decision. These two cases were before the Supreme Administrative Court at the end of the reporting period. It remained unclear whether these cases would set a broad precedent for the Government's treatment of converts from Islam.

Prior to the above mentioned cases, the Government had not recognized conversions of individuals originally Muslim to Christianity or other religions, and resistance to such conversions by local officials constituted a prohibition in practice. In the absence of a legal means to register their change in religious status, some converts resorted to soliciting illicit identity papers, often by submitting fraudulent supporting documents or bribing the government clerks who process the documents. In such cases, authorities periodically charged converts with violating laws prohibiting the falsification of documents.

Under Shari'a, as interpreted by the Government, a non-Muslim wife who converts to Islam must divorce her "apostate," non-Muslim husband. Upon the wife's conversion, local security authorities ask the non-Muslim husband if he is willing to convert to Islam; if he chooses not to, divorce proceedings begin immediately. Custody of children is then awarded to the mother, following



her conversion to Islam and required divorce from her husband.

In April 2005, the Family Court granted the divorce of Wafaa Riffat Adly, a Christian woman who had converted to Islam, from her Christian husband Said Farouk Adly, after he refused to convert.

An estimated several thousand persons were imprisoned because of alleged support for or membership in Islamist groups seeking to overthrow the Government. The Government stated that these persons were in detention because of membership in or activities on behalf of violent extremist groups, without regard to their religious affiliation. Internal security services monitor groups and individuals suspected of involvement in or planning for extremist activity. Internal security agencies regularly detain such persons, and the state of emergency allows them to renew periods of administrative detention ad infinitum.

#### *Forced Religious Conversion*

There were no reports of forced religious conversion carried out by the Government; however, there were again reports of forced conversions of Coptic women and girls to Islam by Muslim men. Reports of such cases are disputed and often include inflammatory allegations and categorical denials of kidnapping and rape. Observers, including human rights groups, find it extremely difficult to determine whether compulsion was used, as most cases involve a Coptic female who converts to Islam when she marries a Muslim male. Reports of such cases almost never appear in the local media.

Early on December 9, 2004, a three-way standoff at Cairo's Abbasiya Cathedral involving Christian protestors, orthodox church officials, and security forces ended with the return of Wafaa' Constantin, the wife of a Coptic Orthodox priest in the Nile Delta province of Beheira, to the protective custody and supervision of the Church following her apparent elopement with a Muslim man in late November. Church officials admitted in a December 10 press conference that Wafaa' had not been forced to convert to Islam against her will.

A 6-day sit-in by Coptic Christian protestors climaxed on the evening of December 8 when the crowd, which numbered several thousand, responded to continued delays in the return of Wafaa' to the Church by hurling rocks at riot police. Subsequent press reports indicated that at least 34 Christian demonstrators were arrested (although all were eventually released in late December and early January) and charged with disturbing the peace, assaulting police officers, and blocking traffic. Press reports also indicated that dozens of policemen and protestors were injured during the clashes and stone-throwing that marked the cathedral protests.

The exact course of events that led to the Constantin controversy remained unclear. Some commentators continued to insist that Constantin had been the victim of a forced conversion; others stated that the Government and the Coptic Church authorities had colluded in preventing Constantin from converting from Christianity to Islam. Constantin herself remained in seclusion in a church facility at the end of the period covered by this report.

There are reports in these cases of government authorities failing to uphold the law. Local authorities sometimes allow custody of a minor Christian female who "converts" to Islam to be transferred to a Muslim custodian, who is likely to grant approval for an underage marriage. Some Coptic activists maintain that government officials do not respond effectively to instances of alleged kidnapping. In cases of marriage between an underage Christian girl and a Muslim man, there have been credible reports that government authorities have failed to sufficiently cooperate with Christian families seeking to regain custody of their daughters.

In November 2004, Fadi Shamrouk, an epileptic 18-year old Coptic Christian student at the University of Alexandria, reportedly disappeared. When his family found him in police custody the next day, Fadi was then reportedly transferred to the control of Ahmed Muhammad Sayed El Batanoni, a former police lieutenant operating a law office in Alexandria. The family alleged that El Batanoni used extortion after they requested to see their son and were informed by police that Fadi had converted to Islam.

The family's church assisted in bringing a legal case that alleged that because he suffers from epilepsy, his abductors exploited his medical condition to convince him to convert to Islam. Fadi returned to his family in May, although the circumstances of this arrangement were unclear. On May 31, the court ruled that Fadi was not mentally ill, that he therefore had the right to convert, but that he had not yet done so.

In February, hundreds of Christians demonstrated in Fayoum, protesting what they viewed as the kidnapping and forced conversion of two young women to Islam. However, there were reliable reports indicating that the women went willingly to the security directorate to convert, after falling in love with Muslim men. The Ministry of Interior assisted in allowing religious consultation sessions between the women and Bishop Ebram (Bishop of Fayoum) to be held away from the security directorate, despite the fact that the regulations on conversion state that such sessions must be held in the security directorate. Bishop Ebram convinced the women to keep their faith.

There were no reports of the forced religious conversion of minor U.S. citizens who may have been abducted or illegally removed from the United States.

#### *Improvements and Positive Developments in Respect for Religious Freedom*

During the period covered by this report, the Government took several steps to encourage religious freedom and tolerance. Al-Azhar maintained a schedule of interfaith discussions inside the country and abroad. The Grand Imam of Al-Azhar Sheikh Tantawi, a government appointee, and Coptic Orthodox Pope Shenouda participated in joint public events.

In January 2004, the Government announced the formation of the NCHR, on which 5 of the 25 appointed members are Coptic Christians. The Council released its first report in March. Although the Council did not address religious freedom per se, it submitted numerous requests to the Ministry of Interior requesting action on complaints it had received regarding church repair and construction.

A prominent Coptic nongovernmental organization (NGO), the Coptic Evangelical Organization for Social Services, continued its program of interreligious dialogue in cooperation with the Ministry of Islamic Religious Endowments. The program encouraged interaction between young Muslim and Christian religious leaders and included a major conference on citizenship and education, as well as a series of workshops, training courses, and seminars throughout the reporting period.

During the period covered by this report, the Government continued to take steps to contain incidents of sectarian tension, most notably its handling of the Wafaa' Constantin case.

On Feb. 13, a court overruled the Government's previous decision to prevent the Word Center for Human Rights, an organization which often handles Coptic rights issues, from registering as an NGO. In 2003, the Ministry of Social Affairs (MSA) had rejected the Center's application for NGO status, citing "security objections" and contended that the Center is a group based on religion and therefore not eligible for NGO status. The Center registered as an NGO, and at the end of the reporting period the MSA's appeal was pending.

Government-owned television and radio continued to provide programming time devoted to Christian issues, including live broadcast of Christmas and Easter services. The state-owned Nile Culture Channel, available via satellite, broadcast weekly Orthodox Church services and other Christian programming. Additionally, local television channels offered an increasing number of documentaries on Coptic issues. Excerpts from Coptic Orthodox Pope Shenouda's weekly public addresses, documentaries on the country's monasteries, the travels of the Holy Family and other aspects of Christian history, and discussions among Muslims and Christians of local and international topics including discrimination appeared regularly in pro-government newspapers.

Christian clergy spoke on popular television programs such as "Good Morning Egypt" about current topics and Christian religious beliefs. A version of Sesame Street, specially designed for the country by the Children's Television Workshop, continued to gain broad viewership among young children and many of their parents since it was first broadcast in 2000. Among the aims of the program is the promotion of tolerance, and one of the principal characters is a Christian.

### **Section III. Societal Attitudes**

Egyptian Muslims and Christians share a common history and national identity. They also share the same ethnicity, race, culture, and language. Christians are geographically dispersed throughout the country, and Christians and Muslims live as neighbors. However, at times religious tensions flare up and individual acts of prejudice occur.

On December 5, 2004, in the Upper Egyptian village of Mankatien, Minya Governorate, a Muslim mob reportedly attacked a new Coptic church and damaged property belonging to Christians. Sources reported that a Christian-owned pharmacy and home were burned down, while the mob's attempt to burn down the church reportedly failed. In reaction to the incidents, police imposed a curfew and arrested 15 local Muslims, but some Christians alleged the police had been too slow to react. None of the victims received any compensation for the damages resulting from this incident.

On March 25, near Mankatien, a Muslim motorist allegedly ran over a group of Christian children who were walking home after attending Friday church classes. Nermeen Kamal Malak, an 8-year old girl, was killed; others received minor injuries. Christian villagers described the accident as deliberate. In response, many Christian villagers in Mankatien demonstrated, demanding an end to their 28-year wait for approval for a reconstruction permit.

The case of Ahmad and Ibrahim Nasir, who were sentenced to 7 years in prison for the 1999 murder of a monk in Assiut, remained pending at the end of the reporting period. In May 2004, the Court of Cassation sustained an appeal by the Public Prosecutor seeking a heavier sentence. The brothers received 15-year prison terms, twice the original sentence which they appealed.

According to the law, persons above the age of 16 may convert to Islam without parental consent. Ignorance of the law and social pressure, including the centrality of marriage to a woman's identity, often affect a girl's decision to convert. Family conflict and financial pressure also are cited as factors.

Official relations between Christian and Muslim religious figures are amicable and include reciprocal visits to religious celebrations. Al-Azhar and the Ministry of Awqaf engage in frequent public and private interfaith discussions with Christians of various denominations, both within the country and in other countries. NGOs such as the Coptic Evangelical Organization for

Social Services (CEOSS) are active in organizing formal and informal interfaith events; during the period covered by this report, CEOSS held numerous events which brought together Christian and Muslim youth leaders to discuss issues such as citizenship, media affairs, and societal violence. Private Christian schools admit Muslim students, and religious charities serve both communities.

In articles in the independent press, prominent leaders of the Coptic Orthodox Church criticized Mormons and Seventh-day Adventists.

In June 2004, the Ministry of Culture's Censorship Department formed a committee of cultural figures (both Muslim and Christian) to review a new film ("I Love the Cinema"/ "Bahebb El-Cima"), which told the story of Egypt's Coptic Orthodox minority during the Nasser era. After initial screenings, Muslim and Christian lawyers filed a complaint with the Public Prosecutor, seeking to have the film removed from distribution and the film producers tried for "contempt for religion" because of the film's frank references to problems in the Church. A Cairo court first rejected the case, referring it to a specialized court, which ruled against the plaintiffs in late November 2004. Audiences were able to see the film at a number of theaters for approximately 8 weeks during the year.

#### **Section IV. U.S. Government Policy**

The subject of religious freedom is an important part of the bilateral dialogue. The subject has been raised with senior Egyptian government officials by all levels of the U.S. Government, including by the Secretary of State, Assistant Secretary for Near Eastern Affairs, the Ambassador, and other Embassy officials. The Embassy maintains formal contacts with the Office of Human Rights at the Ministry of Foreign Affairs. The Embassy also discusses religious freedom issues regularly in contacts with other government officials, including governors and Members of Parliament. The Ambassador has made public statements supporting interfaith understanding and efforts toward harmony and equality among citizens of all faiths. Specifically, the Embassy has raised its concerns about official discrimination against Baha'is with the Government.

The Embassy maintains an active dialogue with the leaders of the Christian and Muslim religious communities, human rights groups, and other activists. The Embassy investigates every complaint of official religious discrimination brought to its attention. The Embassy also discusses religious freedom with a range of contacts, including academics, businessmen, and citizens outside of the capital area. U.S. officials actively challenge anti-Semitic articles in the media through discussions with editors-in-chief and other journalists.

U.S. programs and activities support initiatives in several areas directly related to religious freedom, including funding for CEOSS programs that work with Coptic community groups in Upper Egypt.

The U.S. is working to strengthen civil society, supporting secular channels and the broadening of a civic culture that promote religious tolerance. The U.S. Embassy in Cairo supports projects that promote tolerance and mutual respect between members of different religious communities.

The Embassy supports the development of materials that encourage tolerance, diversity, and understanding of others, in both Arabic-language and English-language curriculums.

The U.S. developed a version of the television program Sesame Street designed to reach remote households and which has as one of its goals the promotion of tolerance, including among different religions. According to a recent household survey, the program, begun in 2000, is reaching more than 90 percent of elementary school-aged children.

The Embassy is also working with the Supreme Council of Antiquities to promote the conservation of cultural antiquities, including Islamic, Christian, and Jewish historical sites.

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